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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**ANDJELA STEFANOVIC, UROS DUKIC,
BOJANA NOVAKOVIC, and DANIJEL
MIRKOV,**

Case No.: 1:18-cv-02093 (LTS)(KNF)

Plaintiffs,

-against-

**OLD HEIDELBERG CORP. d/b/a
HEIDELBERG RESTAURANT and EVA
MATISCHAK,**

Defendants.

**DEFENDANTS OLD HEIDELBERG CORP. AND EVA MATISCHAK'S MOTION
FOR PARTIAL SUMMARY JUDGMENT**

Defendants Old Heidelberg Corp. and Eva Matischak (“Defendants”) respectfully move, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an order granting partial summary judgment in their favor as to: (1) Plaintiff Bojana Novakovic’s claims under the FLSA that arise before March 8, 2015, (2) Plaintiffs’ unpaid overtime claims under both the FLSA and NYLL, (3) Plaintiffs’ claims for failure to provide wage notices under NYLL, and (4) Defendants’ counterclaim for faithless servant against Plaintiff Danijel Mirkov.

Partial Summary Judgment should enter in favor of the Defendants because there are no genuine issues of material fact and Defendants are entitled to judgment as a matter of law on the above-referenced claims.

WHEREFORE, in light of all the foregoing, and as more fully set forth in the appended Memorandum of Law, Defendants Old Heidelberg Corp and Eva Matischak respectfully request that this Court grant their Motion for Partial Summary Judgment.

Dated: Stratford, Connecticut
January 6, 2021

Respectfully submitted,

/s/ William J. Whewell
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